



# Speak Out Now

October 10, 2022

mail@speakoutsocialists.org

speakoutsocialists.org

(510) 343-9105

## Warning: The Supreme Court is Back in Session

Watch out! The new term of the Supreme Court began at the start of October. The power given to this court raises the question of who controls our destiny: do we, the 99 Percent or do nine lawyers appointed for life by the politicians of the One Percent?

The Supreme Court is a clear example of the undemocratic functioning of this system. Members of the Court are nominated by the President, who is not elected by majority vote. After Election Day, members of the Electoral College of each state and the District of Columbia cast their votes for President. These are state and local politicians, who in some states are not bound by the result of the vote in their state. As a result, five U.S. presidents have been elected with a minority of the popular vote, including George W. Bush and Donald Trump.

Then, the Senate approves or rejects the President's nomination for the Court. They don't represent us. How could they? It costs tens of millions of dollars and the support of either the Democratic or Republican Party to run as their candidate.

What has this Court done lately? Most recently, in June, it declared that there is no universal right to abortion in the U.S. Instead, control over people's child-bearing decisions is in the hands of the state legislatures.

It also decided that the federal government doesn't have the right to regulate the carbon emissions of power plants that fuel global heating, as if this doesn't affect the whole country and the whole world.

It ruled that large private employers in the U.S. do not have to follow public health rules to protect their workers from Covid infections. It decided that indigenous peoples' tribal governments have no power to prosecute crimes committed by non-Indians on tribal lands. It blocked separation of church and state by allowing religious schools to receive public grants.

These recent decisions are all horrendous, each in its own way. Last month, a Gallup poll said that only 40

percent of people approve of the Supreme Court's job performance, tying a record low.

In the current session, the Court is taking on a case that could severely undercut Black people's voting rights. Alabama's population is more than 25 percent Black. But its new Congressional map has only one district out of seven that is likely to elect a Black representative. It appears that the Court will support this map, paving the way for similar decisions in other states. In a related case from North Carolina, the Court could rule that a state legislature can rewrite election laws, including district maps, and state courts cannot overrule such a decision, no matter how racist.

This fall, the Court could also make it impossible for individuals to file lawsuits against states for mishandling federal programs. This case involves the family of a nursing home resident who suffered abuse there. The Court could rule that the state court doesn't have to recognize Medicare and Medicaid rules against such abuse. This could lead some states to seriously undercut not only federal healthcare programs, but other programs like food stamps.

Another case could challenge same-sex marriage. And another could undercut the Environmental Protection Agency's ability to determine and maintain clean water standards.

These nine judges on the Supreme Court are prepared to strip the rights that we, and others before us, have organized and fought for and won. The courts didn't hand us these rights. They were forced to recognize the gains that we, the 99%, have made by mobilizing our power in the streets.

The uncontrolled power given to the Supreme Court exposes the true face of the U.S. government. With every decision, the Court is putting itself, and the system that it represents, on trial in front of all of us. It has shown itself to be guilty again and again of crimes against humanity and the environment. The Court does not deserve our respect. Neither does this system it represents.